

[DISCUSSION DRAFT]

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To prohibit certain platforms from allowing minors to create or maintain an account or profile on such platforms, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mrs. HOUCHIN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To prohibit certain platforms from allowing minors to create or maintain an account or profile on such platforms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reducing Exploitative  
5 Social Media Exposure for Teens Act” or the “RESET  
6 Act”.

1 **SEC. 2. PROHIBITION ON ACCOUNTS AND PROFILES FOR**  
2 **MINORS.**

3 (a) PROHIBITION.—

4 (1) IN GENERAL.—A covered platform may not  
5 allow an individual to create or maintain an account  
6 or profile on the covered platform if the covered  
7 platform knows that the individual is a minor.

8 (2) TERMINATION OF EXISTING ACCOUNTS.—A  
9 covered platform shall—

10 (A) not later than 60 days after the date  
11 of the enactment of this section, identify any  
12 account or profile of a user on the covered plat-  
13 form that the covered platform knows is a  
14 minor;

15 (B) not later than 180 days after the date  
16 of the enactment of this section, notify any user  
17 of an account or profile identified under sub-  
18 paragraph (A) that the covered platform will  
19 terminate the account or profile of the user;  
20 and

21 (C) not later than 30 days after the date  
22 on which a user is notified pursuant to sub-  
23 paragraph (B), terminate the account or profile  
24 of the user.

25 (3) DELETION OF THE PERSONAL DATA OF A  
26 MINOR.—

1 (A) IN GENERAL.—Subject to subpara-  
2 graph (B), upon termination of an existing ac-  
3 count or profile of a user pursuant to para-  
4 graph (2), a covered platform shall immediately  
5 delete all personal data collected from the user  
6 or submitted by the user to the covered plat-  
7 form.

8 (B) ACCESS TO PERSONAL DATA BY A  
9 MINOR.—To the extent technically feasible and  
10 not in violation of any licensing agreement, a  
11 covered platform shall allow the user of an ex-  
12 isting account or profile that the covered plat-  
13 form has terminated pursuant to paragraph  
14 (2), from the date such termination occurs to  
15 the date that is 90 days after such date, to re-  
16 quest, and shall provide to such user upon such  
17 request, a copy of the personal data collected  
18 from the user or submitted by the user to the  
19 covered platform both—

20 (i) in a manner that is readable and  
21 which a reasonable person can understand;  
22 and

23 (ii) in a portable, structured, and ma-  
24 chine-readable format.

1 (C) COMPLIANCE.—A covered platform  
2 shall fulfill a request under subparagraph (B)  
3 not later than 45 days after the date on which  
4 such request is made to the covered platform.

5 (b) ENFORCEMENT BY COMMISSION.—

6 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
7 TICES.—A violation of this section shall be treated  
8 as a violation of a regulation under section  
9 18(a)(1)(B) of the Federal Trade Commission Act  
10 (15 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-  
11 tive acts or practices.

12 (2) POWERS OF COMMISSION.—The Commis-  
13 sion shall enforce this section in the same manner,  
14 by the same means, and with the same jurisdiction,  
15 powers, and duties as though all applicable terms  
16 and provisions of the Federal Trade Commission Act  
17 (15 U.S.C. 41 et seq.) were incorporated into and  
18 made a part of this Act. Any person who violates  
19 this section shall be subject to the penalties and en-  
20 titled to the privileges and immunities provided in  
21 the Federal Trade Commission Act.

22 (c) ACTIONS BY STATES.—

23 (1) IN GENERAL.—In any case in which the at-  
24 torney general of a State, or an official or agency of  
25 a State, has reason to believe that an interest of the

1 residents of such State has been or is threatened or  
2 adversely affected by an act or practice in violation  
3 of this section, the State, as *parens patriae*, may  
4 bring a civil action on behalf of the residents of the  
5 State in an appropriate State court or an appro-  
6 priate district court of the United States to—

7 (A) enjoin such act or practice;

8 (B) enforce compliance with this section;

9 (C) obtain damages, restitution, or other  
10 compensation on behalf of residents of the  
11 State; or

12 (D) obtain such other legal and equitable  
13 relief as the court may consider to be appro-  
14 priate.

15 (2) NOTICE.—Before filing an action under this  
16 subsection, the attorney general, official, or agency  
17 of the State involved shall provide to the Commis-  
18 sion a written notice of such action and a copy of  
19 the complaint for such action. If the attorney gen-  
20 eral, official, or agency determines that it is not fea-  
21 sible to provide the notice described in this para-  
22 graph before the filing of the action, the attorney  
23 general, official, or agency shall provide written no-  
24 tice of the action and a copy of the complaint to the

1 Commission immediately upon the filing of the ac-  
2 tion.

3 (3) AUTHORITY OF COMMISSION.—

4 (A) IN GENERAL.—On receiving notice  
5 under paragraph (2) of an action under this  
6 subsection, the Commission shall have the  
7 right—

8 (i) to intervene in the action;

9 (ii) upon so intervening, to be heard  
10 on all matters arising therein; and

11 (iii) to file petitions for appeal.

12 (B) LIMITATION ON STATE ACTION WHILE  
13 FEDERAL ACTION IS PENDING.—If the Commis-  
14 sion or the Attorney General of the United  
15 States has instituted a civil action for violation  
16 of this Act (referred to in this subparagraph as  
17 the “Federal action”), no State attorney gen-  
18 eral, official, or agency may bring an action  
19 under this subsection during the pendency of  
20 the Federal action against any defendant  
21 named in the complaint in the Federal action  
22 for any violation of this Act alleged in such  
23 complaint.

24 (4) RULE OF CONSTRUCTION.—For purposes of  
25 bringing a civil action under this subsection, nothing

1 in this Act shall be construed to prevent an attorney  
2 general, official, or agency of a State from exercising  
3 the powers conferred on the attorney general, offi-  
4 cial, or agency by the laws of such State to conduct  
5 investigations, administer oaths and affirmations, or  
6 compel the attendance of witnesses or the production  
7 of documentary and other evidence.

8 (d) RELATIONSHIP TO OTHER LAWS.—No State or  
9 political subdivision of a State may prescribe, maintain,  
10 or enforce any law, rule, regulation, requirement, stand-  
11 ard, or other provision having the force and effect of law,  
12 if such law, rule, regulation, requirement, standard, or  
13 other provision relates to the provisions of this section.

14 (e) EFFECTIVE DATE.—Unless otherwise specified,  
15 this section shall take effect on the date that is 1 year  
16 after the date of enactment of this section.

17 (f) DEFINITIONS.—In this section:

18 (1) COMMISSION.—The term “Commission”  
19 means the Federal Trade Commission.

20 (2) COVERED PLATFORM.—The term “covered  
21 platform” has the meaning given that term in sec-  
22 tion 4 of the TAKE IT DOWN Act (Public Law  
23 119–12; 47 U.S.C. 223a note).

1           (3) KNOW OR KNOWS.—The term “know” or  
2           “knows” means to have actual knowledge or to have  
3           acted in willful disregard.

4           (4) MINOR.—The term “minor” means an indi-  
5           vidual under the age of 16.

6           (5) PERSONAL DATA.—The term “personal  
7           data” has the meaning given the term “personal in-  
8           formation” in section 1302 of the Children’s Online  
9           Privacy Protection Act of 1998 (15 U.S.C. 6501).

10          (6) USER.—The term “user” means, with re-  
11          spect to a covered platform, an individual who cre-  
12          ates or maintains an account or profile on the cov-  
13          ered platform.